IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 7767 OF 2005

Smt. Shaziya Sameer Bichu ..Applicant

Vs.

1. The State of Maharashtra and ors. ..Respondents

Ms. Nayana Thatte for applicant.
Mr. U.V. Nikam, APP for State.
Mr. Pankaj J. Das i/by Mr. Rajesh Datar for respondent nos.2 to 4.

CORAM: B.H. MARLAPALLE, J.

Date : January 16, 2007.

P.C.:

1. Heard the learned counsel for the applicant-original complainant. She prays for cancellation of bail granted to respondent nos.2 to 4 on 14/3/2005 by the learned 3rd Judicial Magistrate, First Class, Bhiwandi.

2. There is no dispute that C.R.No.36 of 2005 was registered on 9/3/2005 for an offence punishable under Section 498-A of IPC and the offence alleged had taken place on 23/11/2004. Thus, the complaint was lodged after about 5 months of the alleged incident that had

taken place on 23/11/2004. Though the learned Magistrate had released the respondent nos.2 to 4 on bail on 14/3/2005 this application has been filed on 28/11/2005 and it has remained pending as of now. In the affidavit in reply filed by the respondent nos.2 to 4 it has been alleged that though the trial has been expedited, the applicant - complainant is not cooperating and is trying to prolong the trial of the complaint.

3. Be that as it may, it would be just and proper that the pending complaint is tried and decided expeditiously and within a fixed period to be framed.

4. Hence, this application is rejected and it is directed that the trial in Case No.475 of 2005 arising out of C.R.No.36 of 2004 registered with Nijampura Police Station, Bhiwandi be completed as expeditiously as possible and preferably by 30th of June, 2007.

5. Writ to go to the trial court forthwith.

(B.H. Marlapalle,J.)